

**MINUTES OF THE CITY OF LAS VEGAS SPECIAL COUNCIL MEETING HELD ON
TUESDAY, SEPTEMBER 29, 2020 AT 5:30 P.M. IN THE CITY OF LAS VEGAS CITY
COUNCIL CHAMBERS**

MAYOR: Louie A. Trujillo

COUNCILORS: Elaine Rodriquez
Michael Montoya
David Romero
David Ulibarri, Jr.

ALSO PRESENT: William Taylor, City Manager-**Absent**
Casandra Fresquez, City Clerk
Scott Aaron, City Attorney
Adrian Crespín, City Attorney

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Trujillo prayed for our nation as we move into the election cycle, that the citizens' voices would be heard and votes be counted and prayed for peace for our nation and the well being of the entire nation and of our community.

APPROVAL OF AGENDA

Councilor Romero made a motion to approve the agenda. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	Michael Montoya	Yes
David Romero	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

City Clerk Fresquez advised there was no Public Input at this time.

BUSINESS ITEMS

1. Approval of Resolution 20-58 to enter into a repayment agreement between the City of Las Vegas and the United States Department of Housing and Urban Development.

Northern Regional Housing Authority Deputy Director Natasha Martinez advised that in February 2016, the Department and City of Las Vegas (COLV) entered into a repayment agreement to satisfy debt owed to the Department and the Las Vegas Housing Authority (LVHA). The COLV has previously paid \$516,852 from the COLV General Fund to LVHA and currently owes 79,672 on the agreement. The Department issued a report in December 2019 detailing the loss to the Department and LVHA due to the ineligible sale of public housing units in 2004 and 2005.

Ms. Martinez advised that the City of Las Vegas had agreed to pay HUD \$3,584,000.00 based upon the departments' audit report dated 2019 with funds derived from non-federal sources for the total amount owed being \$3,663,672.00. She informed the eighth recital on the resolution stated that the repayment agreement would be paid off by June 31, 2046, giving the City 25 years as opposed to previously having 10-15 years and the payment would be \$150,000.00 a year.

Ms. Martinez advised that there were 15 properties in question that had not been released and were still held in trust with the Housing and Urban Development and there would be a partial release of declaration of these properties once this agreement was taken to the HUD Field Office. Ms. Martinez stated that this situation caused many issues for these homeowners regarding refinancing loans or selling of homes. She advised that within the agreement, HUD would work with the City regarding payment and resolving issues that may occur with funding.

Mayor Trujillo stated that they appreciated HUD opening up the dialogue again with the City and the City coming in good faith, doing what they have to do for the community. He personally thanked the Department of Housing and Urban

Development and everyone who had part in this agreement and thanked Ms. Martinez for all her hard work as well.

Councilor Montoya stated that the Finance Director and City Manager were not present to answer questions and stated that he had concerns about the payment of \$150,000.00 for the next 25 years and asked if it would cause hardship to the City. He spoke on the history of this issue and recalled the approval from HUD at the time he was on the Council, he stated the situation took a wrong turn soon after that and expressed how disappointed he was that this was not addressed sooner.

Councilor Ulibarri, Jr. thanked Ms. Martinez and the Housing Department for all their hard work regarding the agreement, he felt it was unfortunate it had taken this long to resolve this issue and how it had affected the City and everyone involved. He was happy that the City was moving forward.

Councilor Rodriquez stated that the City was a steward of the community's money and that it was unfortunate that this had occurred and the opportunities not taken years ago by previous administrations to resolve this issue. She advised that she had done some research on the matter and would continue to do more research to get a better understanding of how this could have gone on for so long.

Ms. Martinez gave a detailed history overview regarding the HUD program and the selling of several homes to ineligible buyers.

Councilor Romero acknowledged and thanked the HUD Albuquerque Field Office for their help throughout the years and thanked the Division Director Julian Barela as well. He stated that in government, it took a team to resolve issues as these and thanked this administration for moving forward and thanked Mayor Trujillo for his leadership.

Councilor Montoya asked if the building bought for the Veterans by the City on North Gonzales with Housing money, was paid for and belonged to the City.

Ms. Martinez clarified that it was on Church Street, that HUD had purchased it with Homeownership money and that the City bought it back so that payment agreement got decreased by \$115,000.

Councilor Romero made a motion to approve Resolution 20-58 to enter into a repayment agreement between the City of Las Vegas and the United States Department of Housing and Urban Development. Council Ulibarri, Jr. seconded the motion.

Resolution 20-58 was presented as follows:

**CITY OF LAS VEGAS
RESOLUTION NO. 20-58**

A RESOLUTION ADOPTING THE REPAYMENT AGREEMENT AS PRESENTED
BETWEEN THE CITY OF LAS VEGAS (COLV) THE UNITED STATES DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT (DEPARTMENT)

WHEREAS, In February 2016, the Department and COLV entered into a repayment agreement to satisfy debt owed to the Department and the Las Vegas Housing Authority (LVHA), and

WHEREAS, the COLV has previously paid \$516,852 from the COLV General Fund to LVHA and currently owes \$79,672 on the agreement, and

WHEREAS, the Department issued a report in December 2019 detailing the loss to the Department and LVHA due to the ineligible sale of public housing units in 2004 and 2005, and

WHEREAS, the COLV has agreed to repay a total of \$3,584,000 based upon the Department's Audit Report dated December 2019 with funds derived from non-federal sources, for a total owed of \$3,663,672 on the date of this agreement, and

WHEREAS, the Las Vegas Housing Authority, (LVHA) a division of the COLV's primary government which receives federal funds for the purpose of operating and improving low-rent public housing in Las Vegas, New Mexico is in the process of assigning its Annual Contributions Contract with HUD to the Northern Regional Housing Authority (Assignee), a public body corporate established in accordance with NMSA 11-3A, and

WHEREAS, upon the Department's approval of the ACC transfer, all monies owed under this agreement will be owed to Northern Regional Housing Authority to be used for purposes of the Public Housing program, and

WHEREAS, the Department has agreed that as long as COLV complies with the terms of this Repayment Agreement, not to assert, commence or proceed against COLV with any claim or cause of action to collect any or all of the amounts detailed in the Audit Report.

WHEREAS, the Department has agreed that as long as COLV agrees to the terms of this repayment agreement to be paid off by June 31, 2046. The Department will issue a partial Release of the Declaration of Trust for the fifteen (15) properties sold to ineligible buyers as detailed in the forementioned audit report.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, COLV and the Department, each for themselves and their respective successors and assigns agree to the repayment agreement presented to this City Council.

Passed, Approved and Adopted this _____ day of September, 2020.

Mayor Louie Trujillo

ATTEST:

Casandra Fresquez, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY ONLY

Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Ulibarri, Jr.	Yes
Elaine Rodriquez	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

EXECUTIVE SESSION

There was no need for an executive session.

ADJOURN

Councilor Romero made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

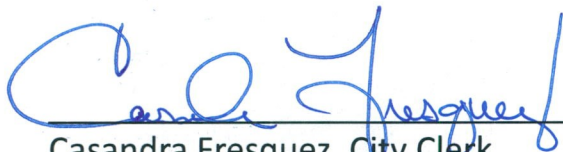
Elaine Rodriquez	Yes	David Romero	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.



Mayor Louie A. Trujillo

ATTEST:



Casandra Fresquez, City Clerk